IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6591 OF 2006

Solapur Mahanagar Palika
Dr.Babasaheb Ambedkar Karmachari
Sanghatana, Solapur ..Petitioner

Vs.

Mahamanav Dr. Babasaheb Ambedkar
Trade Union Solapur and anr. ..Respondents

Mr. V.V. Purvant for petitioner.
Mr. A.M. Khandekar i/by Mr. M.S. Topkar for respondent no.1.
Mr. S.K. Chinchalikar, AGP for STate.

CORAM: B.H. MARLAPALLE, J.

Date : December 14, 2007.

P.C.:

1. Heard Mr. Purvant the learned counsel for the petitioner - Union. On or about 28/8/2006 the petitioner claims to have approached the Joint Registrar at Pune purportedly by filing application under Section 7-A of the Trade Unions Act, 1926 and prayed that the respondent - Trade Union be not granted registration. It appears on 5/9/2006 the petitioner - Union submitted an application to the office of the Additional Labour Commissioner at Pune seeking the information regarding the Trade Union

registration and by letter dated 5/9/2006 the Deputy Registrar, Sharamik Sangh, Pune from the office of the Additional Labour Commissioner, Pune informed the petitioner-Union that Mahamanav Dr. Babasaheb Ambedkar Trade Union, Solapur was registered with Registration No.P.N. 3760 dated 24/8/2006. It is thus clear that before the petitioner submitted an application under Section 7-A of the Trade Unions Act on or about 28/8/2006, the respondent - Union was already registered and, therefore, the only remedy available to the petitioner - Union is under Section 10 to apply for cancellation of the registration and if the said application is decided, the aggrieved party has a remedy of an appeal under Section 11 of the said Act. The prayer made in this petition cannot be considered in a writ petition when a specific statutory remedy under Sections 10 and 11 of the Trade Unions Act, 1926 is available to the petitioner.

2. Hence the petition is rejected summarily.

(B.H. Marlapalle,J.)